

EXHIBIT 5A

IN THE UNITED STATES DISTRICT COURT

FOR THE SOUTHERN DISTRICT OF NEW YORK

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SIRI DIAZ, CAROLYN SIEGEL, TALIA BUMB, BLERTA
VIKKI, DANIELLE OWIMRIN, on behalf of themselves
and others similarly situated,

Plaintiffs,

-against-

SCORES HOLDING COMPANY, INC.; GO WEST
ENTERTAINMENT, INC. a/k/a SCORES WEST SIDE, and
SCORES ENTERTAINMENT, INC., a/k/a SCORES EAST
SIDE

Defendants.

CIVIL ACTION NO.: 07 Civ. 8718(RMB)

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200 Park Avenue
New York, New York

January 28, 2008
10:10 a.m.

DEPOSITION of BLERTA VIKKI, one of
the Plaintiffs herein, pursuant to Notice,
before Ronald A. Marx, a Notary Public of the
State of New York.

ELLEN GRAUER COURT REPORTING CO. LLC
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New York, New York 10022
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REF: 86582

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1 VIKKI

2 week. You know, and if you couldn't work, you
3 just have to call and say -- you know, say to
4 the manager, "Sorry, I can't come to the work."

5 Q Now, when you say you had to work
6 five nights, what do you mean by that?

7 A I mean by that was a shift. You
8 know, we had to work -- I mean, was working
9 there less than two years, you have to be at
10 work, because I used to work a lot, some -- like
11 some years.

12 And I had to work five nights a week,
13 and it's -- you know, it's a mandatory five
14 nights a week I had to work.

15 Q What I'm trying to understand is did
16 you decide you had to work five nights a week --

17 A No.

18 Q -- or did somebody tell you you had
19 to work five nights?

20 A Somebody told me I have to work five
21 nights a week.

22 Q Who is it that told you you had to
23 work five nights a week?

24 A The manager and the house mom. I
25 mean, she gets manager from the -- whatever.

1 VIKKI

2 Q Who was the manager that told you
3 that?

4 A Robert.

5 Q Robert?

6 A Yes.

7 Q Okay. And when did he tell you this?

8 A Since beginning when I start.

9 Q When did you start?

10 A I start -- I worked there was
11 March '04. February, March. I mean, one of
12 those.

13 Q Okay. Now, is this something that
14 Robert told you before you started working?

15 A No. When you start working over
16 there, when you audition and start to work and,
17 you know -- I mean, the house mom or manager is
18 explained to you you have to work -- if you
19 going to get hired, you have to work five nights
20 a week, and this time until that time.

21 Q I'm trying to understand when this
22 was told to you.

23 A As soon you start it. First day when
24 I started with Scores.

25 Q So you had an audition, you said?

1 VIKKI

2 A Yes.

3 Q And was this told to you before or
4 after the audition?

5 A After. After I got hired.

6 Q After you got hired?

7 A Yes.

8 Q And was there a specific time you
9 were told to work?

10 A Yes.

11 Q What time was that?

12 A 6:30 I had to be in the dressing
13 room.

14 Q 6:30 you had to be in the dressing
15 room?

16 A Yes. By 7 o'clock I had to be on the
17 floor.

18 Q And when did your shift end?

19 A 3 o'clock.

20 Q 3 o'clock in the morning?

21 A Yes.

22 Q Now, you said Robert told you this
23 before -- after your audition, but before you
24 started work?

25 A Yes.

1 VIKKI

2 Q Is that yes?

3 A Yes.

4 Q And did Robert ever discuss when you
5 had to work or the number of days a week you had
6 to work after you started working?

7 A What you mean by that? Qualify the
8 question, please.

9 Q Let me break it down. After -- after
10 that first conversation you had with him, which
11 you said took place after your audition, did you
12 ever have a discussion with Robert again about
13 how many nights a week you needed to work?

14 A I didn't have discussion like, but
15 when I was coming -- if I was -- I mean,
16 sometimes I couldn't work five nights a week,
17 and I was working three nights.

18 And when I was coming, he would come
19 after me and say, you know, "You should call.
20 Don't repeat anymore, you know. I don't want
21 this to happen anymore. You have to work five
22 nights since we hire -- we hired you."

23 Q And how many times did you have that
24 kind of discussion that you just described?

25 A I mean, it was not that many, because

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I was always, you know, on track. I always --

Q On track?

A I always was on time, and I didn't want, you know, myself to be in trouble, you know. But couple of times, you know.

Q All right. You also mentioned a conversation with the house mom. Who was the house mom?

A It's Lisa or Gina.

Q Lisa or Gina?

A Yes.

Q Two different house moms?

A Yes.

Q What is it that Lisa told you about how -- how -- when you had to work?

A When they hired me, she has -- you know, she was explaining all the rules of the club.

You have to work five nights a week, and when you're new you have to work two days a week Sundays, because there was nobody, you know, that -- nobody wants to work Sundays.

And she just said you have to work two days a week Sundays, two nights a week

1 VIKKI

2 Sundays for you to, you know -- to try to work
3 in Scores.

4 Q So this was a conversation you had
5 with Lisa after your audition?

6 A I mean, you know, the rules of the
7 club and everything. You know. I mean, how
8 the --

9 Q Let me just break it down though. I
10 want to understand.

11 You just described -- was that a
12 conversation you had with Lisa --

13 A About --

14 Q -- after your audition?

15 A I had -- you know, about everything,
16 you know. When I was working -- I mean, she has
17 to explain to me everything, you know, what I
18 should wear and stuff, you know, about the time,
19 about, you know, we have to work this kind of
20 shift. That's what they're looking for.

21 Q Let's just stick to the conversation
22 about when you needed to work. Okay?

23 And I'm just asking you when that
24 conversation took place.

25 A Soon I start.

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Q After you started, did you have any additional discussions with Lisa about when you had to work?

A No, because she explained to me first time, and that was keeping that kind of shift.

Q Let's talk about Gina then. When did you have any discussions with Gina about when you needed to work?

A She would explain to me same thing that Lisa did because, you know, it's...

Q When did she do that?

A The first time I see her, you know, because she was asking me, "Who hired you?" And she was explaining to me same thing what Lisa, you know, explained to me.

Q Was Gina there when you first started?

A No. She was working different nights a week.

Q Okay. Let me understand. Gina asked you who hired you?

A "Who was over here that hired you?"
Yes.

Q And what did you say in response to

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exact, you know. And on tips, you know.

Q Plus tips?

A Yes.

Q Were you paid the same way as a waitress and as hostess?

A Yes, because I was getting tips as the hostess.

Q And prior to working at Marathon Grill, where did you work?

A Nowhere.

Q Nowhere?

A Yes. Just came in this country.

Was --

Q Where did you come from?

A Albania.

Q From Albania?

A Yes.

Q Did you work in Albania?

A No. I was in school there.

Q So your first job upon coming to the U.S. was at Marathon Grill?

A Yes.

Q And then your next job was at Scores?

A Correct.

VIKKI

Q Now, did you ever work -- you said you worked at the west side club. Did you ever work at the east side club?

A Yes.

Q When did you do that?

A After nine months I work in the west side I worked in the east side.

Q But you started on the west side?

A Yes.

Q Now, when you started on the east side, did anybody speak to you about what your job would be on the east side?

A They speak with me, the house mom, but it was the same rules.

Q Well, who was the house mom?

A The same house mom.

Q So they were the same house moms on the east and the west side?

A Yes, because the west side got already house moms, you know. They just open up, and then they shared stuff until the west side would get enough staff -- you know, staff to work.

Q So did Lisa or Gina -- was there a

1 VIKKI

2 manager on the east side at that time?

3 A It was the same manager, Robert. In
4 the east side is the same manager, but he moves
5 back and forth. He goes to west and east side.

6 That time he was on east side until
7 the west side could get -- you know. I don't
8 know. I was working there at that time.

9 Q Did you have to apply for a position
10 on the east side?

11 A No. I just switched. He said I
12 didn't have to apply. If I was working Scores,
13 you can work any Scores.

14 Q Did anyone request that you move to
15 the east side?

16 A No.

17 Q Did you decide you wanted to move to
18 the --

19 A Yes. I asked the manager. He said
20 okay, no problem.

21 Q You asked the manager if you could
22 work on the east side?

23 A Yes. I asked Robert. I said, "I
24 want to work here." He said, "That's fine. I'm
25 going to talk to the managers on the west side."

1 VIKKI

2 Q Did you work at any other club
3 besides Scores West and Scores East?

4 A I worked for a week in Florida
5 because they send us, Miami. I don't know the
6 address, but they paid for us to go there when
7 they opened the club.

8 Q So where in Miami did you work?

9 A It was a Scores in Miami. I don't
10 know what it was address, but I remember it was
11 Biscayne -- Biscayne Boulevard.

12 I don't know -- they paid for us.
13 They paid everything. They sent about 10, 15
14 girls.

15 Q Did you work anywhere else other than
16 those three locations you just identified?

17 A No.

18 Q How did you learn to be a dancer?

19 A What you mean? Clarify the question,
20 please?

21 Q Well, did you consider yourself a
22 dancer when you worked at the club?

23 A Not really, no.

24 Q What did you consider yourself to be?

25 A I was going to school, and I was

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call the manager."

And I got dressed, went downstairs. And, you know, I had to dance one song on the stage.

And after that she say, "Go upstairs. I'm going to come to the dressing room," and she was like, "You hired."

Q Okay. So you got dressed. By the way, which -- which of the house moms was this; do you remember?

A Would be Lisa or Marguerite. I think it was both, because the club just opened. It was -- you know, it was crossing the street together. I really don't remember, but would be one of those.

Q Marguerite?

A Marguerite, yes.

Q So they told you to get dressed in the dressing room?

A Yes. "When you're ready, let me know. We're going to go downstairs. You're going to dance one song on the stage, and you're going to come up after that, upstairs again, and I'm going to go from there."

1 VIKKI

2 "If you're hired or not, the manager
3 is going to let me know," you know, and that's
4 what I did. And I -- the manager said, "Okay.
5 She's hired."

6 Q Who was the manager?

7 A Was Robert. The manager was Robert.
8 That I'm sure.

9 Q Okay. Now, when you got dressed in
10 the dressing room, did you have any clothes that
11 you brought?

12 A Actually I had, but she was like,
13 "You can't wear these clothes. I give you dress
14 for now, and when you get hired you going to buy
15 your own dresses. You have to buy those
16 dresses. We sell you here those kind of
17 dresses," because the circle -- designer or
18 something.

19 What I should say was you couldn't
20 wear any kind of dresses. You know, they had to
21 be the dresses they accepted.

22 Q What kind of clothes did you bring?

23 A I brought, I mean, normal dress. But
24 they don't -- you know, they have to -- had to
25 be more -- I mean, I really don't know -- how

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should I clarify that?

But they had to be -- I mean, the kind of dresses, you know, that was -- that uniform, not -- you know, my dress was too much clothes. Just like regular dress you can go out for dinner. It was not the kind of dress they was looking for.

Q So you had to -- I'm sorry. You said that -- what was -- what was the kind of dress that you needed to wear?

A You can't wear the dress to go out for dinner. That's for sure. And you can't -- I understand pretty good what kind of dress it would be.

If you can't wear the dress to go out what's -- I mean, what kind of dress it have to be? It's pretty much --

Q Well, how did the dress that you had to wear compare to the dress that you brought?

A It's completely two different, you know.

Q I understand that, and I'm asking you, what was the difference between the dress?

A Because my dress was a normal dress.

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It's, you know, normal. You can go anywhere. I could go out for dinner with my dress.

But the dress they had was much -- I don't know what word I should use for that. It was, you know, the type of dress they was looking for, like more open up, you know, to show off.

MR. CAPOBIANCO: I think she said up and up.

A Open up.

Q Oh, open up?

A Yes. I mean, they know better.

Q So aside from the dress, were there other clothing you put on in the dressing room?

A I had to put on the high heels, and they told me you can't put those high heels, because this was like closed high heels.

You have to be open up high heels, like -- like a sandle. I had like a -- you know, like the part of the feet are, there should not be closed.

They have to be open high heel, not platform or whatever. They had a certain type of a high heel you had to wear over there.

1 VIKKI

2 Q So you brought your own high heels?

3 A Yes, but I couldn't wear those, and
4 they give me a pair of high heels when I
5 audition, and then when they hired me I had to
6 buy whatever, you know, there was to the uniform
7 I should buy over there, or I could buy it
8 anywhere, but have to be, you know, for them
9 part of the uniform, you know.

10 Q What I'm trying to find out is what
11 was the difference between the high heels you
12 brought and the high heels you needed to wear at
13 the club?

14 A Because my high heels what I brought
15 was not really high heels. It was a high heel,
16 but a normal high heels you can wear every day,
17 what I should say.

18 And their high heels was like -- you
19 know, was really high heels, and you had to wear
20 like -- I don't know what I should explain.
21 Like how --

22 Q You mean they showed more skin?

23 A Yes. You know, like much -- I don't
24 know how I should explain.

25 Q Were there any other clothes besides

1 VIKKI

2 the dress and the high heels?

3 A The underwear.

4 Q Underwear. What was the issue with
5 the underwear?

6 A You have to wear the underwear they
7 were selling in the club.

8 Q What kind of underwear was it?

9 A What do you mean, what kind of
10 underwear? It was --

11 Q Did you bring your own underwear when
12 you came to the club?

13 A Yes. I couldn't wear those either,
14 because they have their own design. You know --
15 I mean, I don't know.

16 Q You mean Scores had its own design
17 for underwear?

18 A Yes. Somebody used to make those.

19 Q What kind of -- what does it look
20 like?

21 A It looks --

22 Q What color was it?

23 A Every color. Different colors.

24 Q You could get a lot of different
25 colors?

1 VIKKI

2 A Yes. It's not a matter about color.

3 Q Did it look like your underwear?

4 A No.

5 Q Could you wear that underwear you got
6 from Scores elsewhere?

7 A Not comfortable, but like personally
8 to me, no. But I don't know if somebody else.
9 I couldn't wear it.

10 Q But could you wear it?

11 A I was not -- I don't know, like
12 comfortable. I don't know what I should say.
13 Just not for --

14 Q You're saying you didn't find that
15 underwear comfortable?

16 A Yes. I mean, I had to wear those to
17 work over there. I had -- I didn't have any
18 other choice, but outside there I would not wear
19 it.

20 Q Aside from the underwear, what else?
21 What -- was there anything else you needed to
22 put on in the dressing room?

23 MS. GREENE: Objection. Are
24 you still referring to the first
25 audition or just in general?

1 VIKKI

2 Q Well, let's talk about the first
3 audition.

4 A What do you mean, first audition?

5 Q The audition you had at Scores West.

6 A It's the same.

7 Q First time.

8 A Yes. It's the same thing with the
9 east side. Was same uniform. It's the same.

10 Q But let me ask you this. You talked
11 about the dress.

12 A Yes.

13 Q You talked about the high heels. You
14 talked about the underwear.

15 A Yes.

16 Q Was there anything else you needed to
17 wear for your audition?

18 A No. That's it.

19 Q Okay. Now you -- and then you said
20 you came down the stairs?

21 A Yes.

22 Q And you --

23 A The house mom.

24 Q And you went on the stage?

25 A Yes.

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A Yes.

Q Did you know that you were going to take off -- have to take off your clothes when you went on the stage before you she told you that?

A No.

Q That was the first you knew?

A Yes.

Q And what else did Lisa or Marguerite tell you after she told you you were hired?

A What you mean?

Q Did she tell you when you would start or what time?

A Yes. Oh, yes. She said, you know, "You can start tonight or tomorrow." And she said, "Before you start I'm going to give you audition, you know, about the club, the rules and" -- and I didn't start that night, because I didn't have, you know, the dress with me, and I didn't have the money to pay, because I had to pay for the dress to go to work.

Next day I start. I bought the dress. I bought everything over there before I started to work. She would explain to me all

1 VIKKI

2 the rules, you know, everything about the club.

3 Q Okay. So let me ask you. Where did
4 you buy the dress?

5 A At Scores.

6 Q You bought it at Scores. Did you
7 understand that you had to buy it from Scores?

8 A Yes.

9 Q Or did you understand you could buy
10 it somewhere else?

11 A I had to buy from Scores, because I
12 couldn't find the dress what they were looking
13 for anywhere else.

14 Q Did you have the money to buy the
15 dress?

16 A I took a -- you know, I took it from
17 my account, I mean.

18 Q So you had the money to buy the
19 dress?

20 A Yes.

21 Q Okay. And what else did you have to
22 purchase to work your first night?

23 A You mean what I should pay out, or
24 what you mean by that?

25 Q Well, what did you have to buy to

VIKKI

wear?

A I had to pay for the dress. I had to pay for high heels. I had to pay for underwear. I have to pay for garters.

Q Now, is a garter different from the underwear, or is that the same thing?

A No. It's different from underwear.

Q So there was underwear and there's a garter?

A Yes.

Q Okay. And you bought all of those things from Scores?

A Yes.

Q Do you remember how much they were?

A I remember dress was \$180. I remember. The high heels was \$80, and the underwear was 40, and the garter 20.

Q And then once you purchased those things, did they belong to you?

A Yes.

Q Were they all new when you purchased them?

A I believe yes. But who knows?

Q Now, while you were working at

VIKKI

Scores, did you have to purchase any other clothing?

A Yes. I couldn't wear -- if I was wearing the one dress, I would say two weeks they would come to me and say you have to change your dress and buy a different dress, and I had to buy it.

Q Who was they?

A They? The manager. They come to me and say, "Blerta, you have to buy a new dress because you're wearing this dress same -- you know, every time."

Q So how many dresses did you have to buy?

A Probably 20.

Q 20 dresses?

A Yes.

Q And did they all cost about \$180?

A Yes.

Q Did you buy them all from Scores?

A Yes.

Q Did you ever look elsewhere for dresses?

A No, because I never -- I looked, but

1 VIKKI

2 I never found right ones, you know, that Scores
3 would accept it.

4 Q So you looked elsewhere for dresses?

5 A Yes, but I couldn't find the kind
6 of -- you know, that kind of -- type of dresses.

7 Q And -- I'm sorry. Did you say they
8 were all \$180?

9 A Yes.

10 Q And the high heels, how many pairs of
11 high heels did you end up buying?

12 A Be about ten to 15. I mean, maybe
13 more. I don't remember. It's hard question. I
14 had to look different. I don't remember.

15 Q Now, where did you purchase the high
16 heels from?

17 A Scores.

18 Q All from Scores?

19 A (Indicating)

20 Q Did you look anywhere else to
21 purchase high heels?

22 A No. It was just from Scores.

23 Q Now -- and how many pairs of
24 underwear did you have to buy?

25 A Plenty. I don't remember how many.

1 VIKKI

2 Q Plenty.

3 A I bought -- I don't remember. It's a
4 hard question for me, because I don't remember.
5 It's --

6 Q I'm just asking you to give an
7 estimate based on how many --

8 A Could be 20 pairs or -- you know,
9 maybe. I mean, I don't...

10 Q And where did you purchase the
11 underwear from?

12 A Scores.

13 Q Did you look anywhere else for
14 underwear?

15 A No, because I never found those
16 underwears. It was completely new.

17 Q What about the garters? How many
18 garters did you have?

19 A Garters, every three days one garter,
20 because always I was losing in Scores.

21 Q You purchased them all from Scores?

22 A Yes.

23 Q So you bought a new garter every
24 three days?

25 A You know, I was losing them. I would

1 VIKKI

2 forget them. I was in the dressing room or
3 whatever. Next day would be -- I don't know
4 where it is.

5 Q And you always purchased it from
6 Scores?

7 A (Indicating)

8 Q Did you ever look anywhere else for
9 garters?

10 A No. It's a certain type of garters.
11 I couldn't find anywhere. Like they made their
12 own design, you know. It's --

13 Q Now, the high heels that you
14 purchased, could you wear those high heels
15 outside of work?

16 A To me, no, because I'm not
17 comfortable. I would not -- they would not look
18 good. Like personally I'm talking for myself.
19 I don't know for anybody else.

20 Q They weren't your personal taste in
21 high heels?

22 A No.

23 Q But you say somebody else could have
24 worn such a thing?

25 A Could be. I don't know about

1 VIKKI

2 somebody else.

3 Q What about the dresses? You said you
4 wouldn't wear those dresses outside?

5 A Nobody will wear those dresses out.

6 Q Nobody would wear those dresses?

7 A No. Completely not.

8 Q This is New York. Nobody would wear
9 those dresses out?

10 A Could be New York, but I don't think
11 those dresses would be -- no.

12 Q You don't think so.

13 A Yes. Thousand percent, no.

14 Q Now, why did you ask to go from the
15 west side to the east side?

16 A Why? I just -- I just want to switch
17 clubs, you know, and -- I don't know. Just
18 feel -- I got -- not tired, but I just felt to
19 switch clubs and just wanted to change, to move.

20 Q Was there somebody that you wanted to
21 work with?

22 A No. Not really, but I just -- not
23 feeling, you know, myself there. I just wanted
24 to move, you know.

25 Q Was it easier for you to get to the

1 VIKKI

2 east side club?

3 A It was easy to get, because I was
4 taking the train, you know, from my house there.
5 It was easy than to the west side. I had to --
6 you know, it's hard for me in the nighttime to
7 get back home.

8 Q Okay. Now, let me ask you that. How
9 did you get to -- when you worked on the west
10 side, how did you get there?

11 A By train and bus.

12 Q Where did you live? Where were you
13 living when you first started working?

14 A Brooklyn.

15 Q Where in Brooklyn?

16 A Bensonhurst. You want directly the
17 address?

18 Q What was your address when you first
19 started working there?

20 A I give you two addresses. I don't
21 remember which. One is 6412 20th Avenue,
22 Brooklyn, New York 11204. I believe it's the
23 zip code.

24 Q That was 20th Avenue?

25 A Correct.

VIKKI

Q Did you ever get a ride from anybody?

A No. Like when I was -- the train was not working I had to take a cab. I had to go to work.

And if I would not go, they would have fired me. I called. I said I don't know how I'm going to get, you know. "You have to take cab ride or just take whatever."

Q When you came -- when you worked on the east side, how did you get to work?

A By train. I would take the N train to Lexington and 60th Street, East 60.

Q So it was just one train?

A Yes. And I had to walk two blocks, two -- two or three blocks. Two and a half probably.

Q Now, why did you leave Scores East?

A I got pregnant.

Q And did you decide to quit?

A I told -- I give them notice. I said, "I can't work anymore. I'm pregnant," and that was it, but I have to give them notice, like two weeks or a month.

Q Who did you give notice to?

1 VIKKI

2 A To the manager.

3 Q And who was the manager you gave
4 notice to?

5 A Robert. I give notice to Harvey, one
6 of the owners.

7 Q You gave notice to Harvey?

8 A Yes. I told him too. I see him once
9 in the club, and said I told manager -- I mean
10 Robert too. I said I'm pregnant. I can't work
11 anymore. That was it.

12 Q When you say you had to give notice,
13 who told you you had to give notice?

14 A Who told me was the rules. When I
15 got hired, they told me if you're going to leave
16 the club or anything, any type of -- if you're
17 going to move you have to give notice two weeks
18 to a month ahead.

19 Q Who told you that?

20 A The house mom.

21 Q Who was that?

22 A Was -- I mean, it was both.

23 Marguerite or Lisa. On east side was Lisa. I
24 mean, when I moved to the east side it was Lisa,
25 because I asked her when I got pregnant.

VIKKI

I said, "Lisa, I'm pregnant." She was saying just tell Robert, you know, two weeks, or Harvey, and that's what I did. I gave notice, and I am not working anymore.

Q And you told them that you were pregnant?

A Yes.

Q Now, what is Harvey's last name?

A I don't know.

Q But you knew him as one of the owners?

A I believe, yes. Yes. He -- that's how you pretend yourself. That's how he pretend. He was one of the owners. I don't know.

That's -- I mean, everybody -- you know, even when we had to do our meetings, he was one of the owners. I don't know.

Q When you say you had to do meetings --

A When there was a meeting in dressing room, like every other week or every four days or something, you had to -- all the girls together in the dressing room. Like some

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2 things, whatever they had to do meeting. I
3 don't -- you know.

4 Q Okay. Now, how frequent were these
5 meetings?

6 A Once a week or twice a week or once
7 in two weeks. Depends whatever they had to say
8 something to the girls or whatever they had to
9 talk to us. They would do meetings in the
10 dressing room.

11 Q Who -- who spoke during these
12 meetings?

13 A Sometimes it would be the manager and
14 Harvey, one of the owners, and wherever --
15 sometimes was different people.

16 I don't remember. I don't talk for
17 such. I mean, whatever they had to talk about.
18 I don't remember.

19 Q Do you remember any of the issues
20 that were discussed at these meetings?

21 A I remember the issue had to sell
22 bottles all the time, about the VIP rooms. They
23 were going after us.

24 You have to -- you know, they go
25 each -- after each girl. "You went for this

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kind of hours. If you going to go one more time, if you're going to continue that, and don't sell bottles, that's how we make the money. You have to push to sell bottles." And this was more particular meeting. More going after.

Q You were talking about the VIP rooms.

A Yes.

Q What's that?

A VIP room is -- that's a room. And you -- it's for an hour. And you have to dance. It's a private room.

Q You danced in the private room?

A Yes.

Q And who decided or how was it determined how much you would get paid to dance in the private room?

A The Scores would decide. I would get \$500 and plus the room, whatever the room was, 1,500, 1,200.

I don't know. Was some money. You know, it was -- different rooms was different prices, or I don't remember how the rooms were.

Q You're talking about the room price?

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2 A Yes. I mean, I don't know about the
3 room prices, how they going to -- you know, how
4 they charge, but was about 12 to 1,500 or a
5 thousand. I don't know how they -- about the
6 room. I know I will make 500.

7 Q You knew you would make \$500 to go
8 into a room?

9 A Yes.

10 Q Always?

11 A Always \$500. Yes.

12 Q Could you negotiate more or less?

13 A No, because I would be in trouble and
14 was not part of the -- no.

15 Q That was for one hour?

16 A Yes.

17 Q When you say you would be in trouble,
18 what makes you think you would be in trouble?

19 A Because if I was saying, you know,
20 for more, was -- you know, they would go after
21 me and say, "You know what? You're fired. Why
22 you ask the customer for more money?"

23 Q Who is they? Who was --

24 A The staff. Whatever. The host could
25 be -- you know, was so many people over there,

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2 the host, because I want to talk to them," and
3 for a price and stuff.

4 Q So what is it that the host would
5 explain to the customer?

6 A They would explain the room and how
7 much would be the room.

8 Q The room cost?

9 A Yes.

10 Q Okay. What else?

11 A How much I will get.

12 Q How much for you?

13 A Yes, and that's it.

14 Q And what did you say about tip-out?

15 A Tip-out. I mean, the customer would
16 get two checks, one for the room and one -- I
17 mean, one for the room money and one for, you
18 know, my money.

19 I mean, you know, like two separate
20 checks. One is 1,100 or 1,200 or 1,500,
21 whatever it goes to cost the room.

22 He has to sign two checks. If he's
23 going to pay by credit card, because always he
24 had sign two checks. One for room and one for
25 like the money I will get. And...

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Q All right. So you're saying there were two checks.

You mean the person -- he put it on his credit card?

A Yes.

Q The customer would put it on his credit card, and he had to sign twice?

A Yes.

Q And you understood one signing was for the room and one was for your fee?

A Yes.

Q And did the host tell the customer how much your fee was?

A Yes. 500 for the girl and whatever it was for the room. It's -- price is -- depends which room, you know. There was some different rooms. That's why.

Q And what did you mean by tip-out?

A By tip-out?

Q Yes.

A What I mean -- I mean I have to pay the house fee with 180.

Q The house fee was 180?

A Yes.

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2 Q Is that every day?

3 A Exact.

4 Q Okay.

5 A You have to pay the DJ. If I was --
6 if I was -- you know, he will put me off the
7 stage if I had to now go -- if I didn't want to
8 go on stage, I had to pay \$100, and if I was
9 going -- you know, if I was going on stage I had
10 to pay 40, but it was never 40, because if I was
11 giving 40 he would put me more. If I had to go
12 ten times he put me 20 times. It would be 60 or
13 80 or whatever.

14 Q You're talking about the DJ?

15 A I mean, you say tip-out, what I
16 should tip out the entire night which -- I
17 mean --

18 Q All right. We can go into that
19 later. Let me just go back to the private room
20 situation, okay?

21 You mentioned the tip-out at the
22 private room.

23 Was there a separate tip-out in
24 connection with the private room?

25 A The tip-out -- end of -- the

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2 private -- when the room -- I mean, when hour is
3 finished I had to tip the host.

4 He was getting tip from customer, and
5 I had to tip him. You know, if I will not tip
6 him, you know, they come to me, "Where's my
7 tip?" Or --

8 Q So did you decide how much to give
9 the host?

10 A It's pretty much ten percent. I have
11 to tip them. Like figure 60, \$80.

12 Q Now, in addition to the money that
13 the customer puts on the credit card for your
14 fee, did the customer also give you money in the
15 room?

16 A No. The customer would tip me when
17 he signs the \$500. He will tip me right off
18 there.

19 Like if the room is 500, or is ten
20 percent -- is ten-percent surcharge, whatever it
21 costs.

22 He can pay by credit card. If they
23 pay funny money, it's 500, but the charge is 600
24 on credit card, because it's ten-percent fee.

25 I don't know how that works for

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2 Scores. I mean, when he signs my money, it's
3 600 on the credit card, but comes out to 500,
4 because they keep ten percent.

5 Q What happens to that 500?

6 A I take the 500, but when he tips
7 me -- I mean, he sign for 500, and he will say,
8 "I give you \$100 tip or 200 or \$50," whatever he
9 wants to tip me. I never get that tip. Host
10 gets the tip, but I never understood why is
11 that.

12 Q The host would get the tip?

13 A Yes.

14 Q You mean on the credit card he would
15 put additional tip?

16 A For me, and I would -- I never got
17 the tip. Almost three years I work over there,
18 I never got a penny.

19 Q You got the \$500?

20 A Yes.

21 Q And how did you get the \$500?

22 A Funny money.

23 Q It was in funny money?

24 A Yes.

25 Q So that was all you received from the

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2 customer?

3 A Yes.

4 Q Was the funny money?

5 A Yes.

6 Q Did you receive it all at once?

7 A Yes.

8 Q They would hand it to you before you
9 had to dance in the room?

10 A No. You would start dancing, and he
11 would come with the funny money. The host will
12 come with the funny money after 10, 15 minutes,
13 20 minutes, 30 minutes, but he will come.

14 Q The host would come into the room?

15 A Yes.

16 Q During -- while you were dancing --

17 A Yes.

18 Q -- the host would come into the room?

19 A Yes.

20 Q So you would get \$500 in funny money?

21 A Yes.

22 Q Did some customers give you money
23 over and above that money?

24 A (Indicating)

25 Q Did --

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A No, because the customers always tip me by credit card to the -- you know, and I never got that money. They never give it to me.

You know, not me, but to all the girls, you know. And I never asked. But he was saying, "I left your tip," and if I would say, you know, to the customers I don't get the tip, you know, I would get a large trouble.

If I was asking, you know, if he tip with credit card where's my tip, I get in trouble, like forget it. And always -- I never -- I never asked them.

Q Okay. Let me go to the issue of the house fee.

Was the house fee always the same amount of money?

A It was 180.

Q Always 180?

A Saturdays was, I believe, 160 or 140. I don't remember. Because I --

Q Saturdays was less?

A Yes -- no. Sundays. I'm sorry. Sundays was something -- I don't remember. It's been awhile for me I didn't work over there, and

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it's changed, you know.

Q Let me ask you this. Was the house fee always the same amount of money?

A I mean, six days a week was -- no. I'm sorry. Mondays was 160. And rest of the days and Sunday was same thing.

Monday or Sundays was probably 140, 160. Sometimes was -- Sunday was a little busy. I couldn't afford it.

I will pay probably \$80, because -- I mean, I couldn't, you know. I'm going minus, only I had to work those days. I was...

Q When did you pay the house fee?

A To the house mom.

Q When though?

A When? End of the night.

Q The end of the night you paid the house fee?

A Yes. I couldn't leave if I was not paying the house fee. I had to pay.

Q Could you pay the house fee in funny money?

A Yes.

Q Did you typically pay it with funny

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money?

A Half and half. Whatever, you know. Sometimes, you know, I didn't have funny money and will pay cash, and I would go home with zero. Depends on the night.

Or maybe I cashed funny money and I think maybe I'm going to take -- I'm going to make funny money later.

I never did it. Was never busy, and I had to pay with my money, the money I made the night before.

Q So you could end up with less money than you started with?

A Oh, yeah. Of course.

Q So you could actually loose money by working a whole shift?

A Not one time. Some of the times.

Q Excuse me?

A It's -- yes. So many times that happened.

Q That happened several times?

A Yes. Like sometimes -- I mean, I will go to the manager. I will say I can't -- I can't pay. I'm not going to pay 180.